

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Craig Nathan Smith
Karla Cristina Smith**
Debtor(s)

Bankruptcy Case No.: 21-21103-CMB

Chapter: 13
Docket No.: 22 – 15
Concil. Conf.: November 4, 2021 at 11:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 5/25/2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 4, 2021 at 11:00 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Midfirst Bank (Cl #14) .
- ☒ H. Additional Terms: The secured claim of the following creditors shall govern as to claim amount to be paid at the modified plan interest in a monthly amount to be determined by Trustee to pay in full: Toyota Motor Credit (CL #6)

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: June 29, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Craig Nathan Smith
Karla Cristina Smith
Debtors

Case No. 21-21103-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jun 29, 2021

User: dsaw
Form ID: 149

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Total Noticed: 54

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 01, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Craig Nathan Smith, Karla Cristina Smith, 155 Dwellington Drive, Valencia, PA 16059-2523
15371688	+ AES/Brazus, P.O. Box 61047, Harrisburg, PA 17106-1047
15371689	+ AES/Suntrust, P.O. Box 61047, Harrisburg, PA 17106-1047
15371690	+ American Express, P.O. Box 981537, El Paso, TX 79998-1537
15378195	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15371693	+ Bank of America, 4909 Savarese Circle, Tampa, FL 33634-2413
15371694	+ Caliber Home Loans, 715 South Metropolitan Avenue, Oklahoma City, OK 73108-2054
15371699	+ Capital One Bank/Cabelas, P.O. Box 31293, Salt Lake City, UT 84131-0293
15371702	+ Collection Service Center, P.O. Box 560, New Kensington, PA 15068-0560
15371708	+ First Premier Bank, 3820 North Louise Avenue, Sioux Falls, SD 57107-0145
15371709	+ J.P. Morgan Chase Bank Card, P.O. Box 15369, Wilmington, DE 19850-5369
15371710	+ J.P. Morgan Chase Bank Home, 700 Kansas Lane, Monroe, LA 71203-4774
15385095	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15371711	+ Mariner Finance, 8211 Town Center Drive, Nottingham, MD 21236-5904
15385437	+ NORDSTROM, INC., Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud MN 56302-7999
15371714	+ National Energy Improvement Fund, LLC, P.O. Box 9000, Fort Washington, PA 19034-9000
15371718	+ Pennymac Loan Services, P.O. Box 514387, Los Angeles, CA 90051-4387
15371720	+ Pressler, Felt & Warshaw, L.L.P., c/o Ian Z. Winograd, Esquire, 7 Entin Road, Parsippany, NJ 07054-5020
15371721	+ SST/Synovus, 4315 Pickett, Saint Joseph, MO 64503-1600
15371725	+ The Bureaus Inc, 650 Dundee Road, Northbrook, IL 60062-2747
15381765	+ Toyota Credit de Puerto Rico, PO Box 9013, Addison, Texas 75001-9013
15371726	+ Toyota Motor Credit, P.O. Box 9786, Cedar Rapids, IA 52409-0004
15371727	+ Toyota Motor Credit, Two Walnut Groove Drive, Horsham, PA 19044-2219
15387745	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 24

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jun 29 2021 23:46:16	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15371687	Email/Text: Bankruptcy@absoluteresolutions.com	Jun 29 2021 23:44:43	Absolute Resolutions, 8000 Norman Center Drive, Bloomington, MN 55437
15377582	Email/Text: Bankruptcy@absoluteresolutions.com	Jun 29 2021 23:44:43	Absolute Resolutions Investments, LLC, c/o Absolute Resolutions Corporation, 8000 Norman Center Drive, Suite 350, Bloomington, MN 55437
15371692	+ Email/Text: g20956@att.com	Jun 29 2021 23:45:00	AT&T, 208 South Akard Street, Dallas, TX 75202-4206
15371696	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 29 2021 23:46:16	Capital One, P.O. Box 30253, Salt Lake City, UT

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			84130-0253
15371695	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 29 2021 23:46:16	Capital One, P.O. Box 31293, Salt Lake City, UT 84131-0293
15371697	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 29 2021 23:46:07	Capital One Bank, P.O. Box 71083, Charlotte, NC 28272-1083
15371698	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 29 2021 23:46:07	Capital One Bank USA, P.O. Box 31293, Salt Lake City, UT 84131-0293
15371701	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 29 2021 23:46:13	Citibank, N.A., P.O. Box 6217, Sioux Falls, SD 57117-6217
15371700	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jun 29 2021 23:46:13	Citibank, N.A., P.O. Box 6497, Sioux Falls, SD 57117-6497
15371703	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 29 2021 23:45:43	Comenity Bank, P.O. Box 182125, Columbus, OH 43218-2125
15371704	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 29 2021 23:45:00	Comenity Bank/J. Crew, P.O. Box 182789, Columbus, OH 43218-2789
15371705	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jun 29 2021 23:45:00	Comenity Bank/Victoria's Secret, P.O. Box 182789, Columbus, OH 43218-2789
15371706	+ Email/Text: Bankruptcy.Consumer@dish.com	Jun 29 2021 23:45:00	Dish Network, 90 Inverness Cir E, Englewood, CO 80112-5317
15371707	+ Email/Text: bknotice@ercbpo.com	Jun 29 2021 23:45:00	Enhanced Recovery Company, P.O. Box 57547, Jacksonville, FL 32241-7547
15385899	+ Email/PDF: ais.midfirst.ebn@americaninfosource.com	Jun 29 2021 23:46:06	MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
15371712	+ Email/Text: bankruptcydpt@mcmcg.com	Jun 29 2021 23:45:00	Midland Credit Management, 320 East Big Beaver, Troy, MI 48083-1238
15385763	+ Email/Text: bankruptcydpt@mcmcg.com	Jun 29 2021 23:45:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15371713	+ Email/PDF: ais.midfirst.ebn@americaninfosource.com	Jun 29 2021 23:46:12	Midland Mortgage/Midfirst, P.O. Box 268959, Oklahoma City, OK 73126-8959
15371715	+ Email/Text: bnc@nordstrom.com	Jun 29 2021 23:45:09	Nordstrom/TD Bank USA, 13531 East Caley Avenue, Englewood, CO 80111-6504
15372877	+ Email/PDF: cbp@onemainfinancial.com	Jun 29 2021 23:46:04	OneMain Financial, PO Box 3251, Evansville, IN 47731-3251
15371716	+ Email/PDF: cbp@onemainfinancial.com	Jun 30 2021 10:56:47	Onemain, P.O. Box 1010, Evansville, IN 47706-1010
15371717	+ Email/PDF: cbp@onemainfinancial.com	Jun 29 2021 23:46:16	Onemain Financial, P.O. Box 1010, Evansville, IN 47706-1010
15371719	Email/Text: Bankruptcy.Notices@pnc.com	Jun 29 2021 23:45:00	PNC Bank, N.A., P.O. Box 3180, Pittsburgh, PA 15230
15385307	+ Email/Text: JCAP_BNC_Notices@jcap.com	Jun 29 2021 23:45:00	Premier Bankcard, LLC, Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud MN 56302-7999
15378379	Email/Text: bnc-quantum@quantum3group.com	Jun 29 2021 23:45:00	Quantum3 Group LLC as agent for, Aqua Finance, PO Box 788, Kirkland, WA 98083-0788
15372152	+ Email/PDF: gecsed@recoverycorp.com	Jun 29 2021 23:46:12	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15371722	+ Email/PDF: gecsed@recoverycorp.com	Jun 29 2021 23:46:12	Synchrony Bank/BSTB, P.O. Box 965036, Orlando, FL 32896-5036
15371723	+ Email/PDF: gecsed@recoverycorp.com	Jun 29 2021 23:46:04	Synchrony Bank/Gap, P.O. Box 965005, Orlando, FL 32896-5005

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15371724 + Email/PDF: gecsedl@recoverycorp.com

Jun 29 2021 23:46:15

Synchrony Bank/Husqvarna, P.O. Box 965036,
Orlando, FL 32896-5036

TOTAL: 30

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		MIDFIRST BANK
15381351	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15383153	*+	Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
15371691	##+	Aqua Finance Inc., 2600 Pine Ridge Boulevard, Wausau, WI 54401-7800

TOTAL: 1 Undeliverable, 2 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 01, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 29, 2021 at the address(es) listed below:

Name	Email Address
Daniel P. Foster	on behalf of Joint Debtor Karla Cristina Smith dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Debtor Craig Nathan Smith dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Maria Miksich	on behalf of Creditor MIDFIRST BANK mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 5